



# **STATE LEGISLATION OF INTEREST**

**A Summary of the 1995 - 1996  
Legislative Session**

# A Summary of the 1995 - 1996 Legislative Session

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## **Introduction**

This report summarizes the legislation tracked by the Department of Pesticide Regulation, Office of Planning and Regulatory Affairs, during the 1995 - 1996 Legislative Session. These legislation impacted, or had potential to impact, the pesticide regulatory program administered by the Department of Pesticide Regulation and the County Agricultural Commissioners.

The bills chaptered in 1995 became law on January 1, 1996. Those chaptered in 1996 became law on January 1, 1997. The report also provides summaries of the bills that did not pass during the 1995 - 1996 Legislative Session.

## **ACRONYMS**

AB	Assembly Bill
ACR	Assembly concurrent resolution
ALJ	Administrative law judge
APA	Administrative Procedures Act
ARB	Air Resources Board
CAC	County agricultural commissioner
Cal/EPA	California Environmental Protection Agency
CCR	California Code of Regulations
CDFA	California Department of Food and Agriculture
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CIWMB	California Integrated Waste Management Board
DBW	Department of Boating and Waterways
DFG	Department of Fish and Game
DHS	Department of Health Services
DPR	Department of Pesticide Regulation
DTSC	Department of Toxic Substances Control
U.S. EPA	United States Environmental Protection Agency
FAC	Food and Agricultural Code
OEHHA	Office of Environmental Health Hazard Assessment
HSC	Health and Safety Code
OAL	Office of Administrative Law
OES	Office of Emergency Services
PCP	Pentachlorophenol
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SPCB	Structural Pest Control Board
SWRCP	State Water Resources Control Board
TAC	Toxic air contaminant
VOC	Volatile organic compound

# Bill Subject Index

## Administration

AB 4	Bates	Public Access to Government Information	(Failed)
AB 116	Speier	Legislative Reports	(Chapter 96-970)
AB 142	Bowen	Electronic Public Records	(Failed)
AB 211	Richter	Public Officers and Employees	(Failed)
AB 564	Cannella	Emission Inventories and Risk Assessments	(Chapter 96-602)
AB 863	Aguiar	Environmental Protection (Fees)	(Failed)
AB 873	Bowen	Registration of Pesticides	(Failed)
AB 1069	Hauser	Administrative Hearings	(Failed)
AB 1135	Morrissey	Administrative Regulations	(Failed)
AB 1179	Bordonaro	Regulation (Trade and Commerce Oversight)	(Failed)
AB 1180	Morrissey	Administrative Adjudication	(Failed)
AB 1659	Woods	Administrative Regulations	(Failed)
AB 1857	Brewer	State Regulations	(Failed)
AB 2458	Figueroa	Reports to the Legislature	(Chapter 96-818)
AB 2684	Kaloojian	Abolition & Review of Regulatory Agencies	(Failed)
AB 2793	Baldwin	Administrative Regulations Plan	(Failed)
AB 2896	Goldsmith	Cost Benefit Analysis (Regulations)	(Failed)
AB 2989	Bowen	Records (Paper Reduction Act of 1996)	(Failed)
AB 3146	Brewer	State Duplication of Federal Regulations	(Failed)
AB 3158	Olberg	Environmental Regulatory Cost-Effectiveness Commission	(Failed)
AB 3159	Olberg	Civil Penalties	(Failed)
AB 3303	House	Search Warrants	(Failed)
AB 3477	Committee on Environmental Safety and Toxic Materials	Unified Code of Environmental Statutes	(Failed)
SB 286	Polanco	State Procurement (Information Technology)	(Failed)
SB 297	Campbell	Regulatory Activity Principle Contact	(Chapter 95-650)
SB 329	Campbell	State Regulations (Legislature Oversight)	(Failed)
SB 339	Campbell	State Regulations (Expiration Date)	(Failed)
SB 452	Johannessen	Public Availability & Judicial Review of Regulations	(Failed)
SB 523	Kopp	Administrative (Procedure)	(Chapter 95-938)
SB 802	Monteith	Economic Poisons	(Chapter 96-435)
SB 929	Petris	Pesticide Poisoning Prevention Act of 1995	(Failed)
SB 974	Alquist	State Government (Performance Audits)	(Failed)
SB 1299	Peace	Environmental Protection (Permits)	(Chapter 95-872)
SB 1390	Johnston	Written Communications of State Agencies	(Failed)
SB 1400	Monteith	Scientific Evidence	(Failed)
SB 1803	Ayala	Open Meetings	(Failed)
SB 1910	Johannessen	Administrative Regulations	(Chapter 96-501)

## Air Quality/Emissions

AB 177	Mountjoy	Air Pollution	(Failed)
AB 564	Cannella	Air Toxic	(Chapter 96-602)
AB 2369	Takasugi	Air Pollution (Title V Permits)	(Chapter 96-984)
AB 2981	Brewer	Air Pollution (Market-Based Incentive Program)	(Chapter 96-609)
AB 3046	Olberg	Air Pollution	(Chapter 96-610)
AB 3048	Olberg	Air Pollution	(Chapter 96-777)

## Air Quality/Emissions (cont'd)

SB 812	Monteith	Air pollution (Particulate Matter)	(Failed)
SB 1098	Dills	Air Pollution	(Chapter 95-856)
SB 1750	Monteith	Mill Assessment & Pesticide Regulatory Program Reforms	(Failed)
SB 2015	Leonard	Air Pollution (Permitting Policies)	(Failed)
SB 2170	Mountjoy	Air Pollution	(Chapter 96-618)

### Birth Defect Prevention Act

AB 13X	Frusetta/Harvey	Birth Defect Prevention Act (Methyl Bromide and PCP)	(Failed)
SB 1371	Mello	Mill Assessment & Birth Defect Prevention Act	(Failed)
SB 1XXX	Mello	Methyl Bromide	(Chapter 96-001)

### Businesses/License

AB 568	Brown	Pest Control Operators	(Chapter 95-718)
AB 1179	Bordonaro	Regulation (Trade and Commerce Oversight)	(Failed)
AB 1180	Morrissey	Administrative Adjudication	(Failed)
AB 1182	Kuykendall	Structural Pest Control Operators	(Chapter 95-273)
AB 1428	Woods	Endangered Species Act (Personal Liability)	(Failed)
AB 3292	Sher	Small Businesses	(Failed)
ACA 21	Brulte	Legislation (Business Costs)	(Failed)
SB 286	Polanco	State Procurement (Information Technology)	(Failed)
SB 338	Campbell	State Funds	(Chapter 95-654)
SB 625	Johannessen	Regulations (Economic Impacts)	(Failed)
SB 802	Monteith	Economic Poison	(Chapter 96-435)
SB 1122	Mountjoy	Regulations (Small Businesses)	(Failed)

### California Environmental Quality Act

AB 165	Richter	General Plans (State Agency Compliance)	(Failed)
AB 389	Cannella	Environmental Farming Program	(Chapter 95-108)
AB 863	Aguiar	Environmental Protection (Fees)	(Failed)
AB 1180	Morrissey	Administrative Adjudication	(Failed)
AB 3048	Olberg	Air Pollution	(Chapter 96-777)
SB 1299	Peace	Environmental Protection (Permits)	(Chapter 95-872)

### California State Mussel Watch Program

AB 2130	McPherson	California State Mussel Watch Program	(Failed)
AB 2445	McPherson	California State Mussel Watch Program	(Failed)

### County Agricultural Commissioners

AB 816	Murray	CAC (Penalties)	(Chapter 96-616)
AB 873	Bowen	Registration of Pesticides	(Failed)
SB 800	Monteith	Economic Poisons (Regulations)	(Chapter 95-705)
SB 802	Monteith	Economic Poisons	(Chapter 96-435)
SB 2062	Rogers	CAC (Enforcement Programs - Study)	(Chapter 96-635)

### Economic Poison

AB 13X	Frusetta/Harvey	Birth Defect Prevention Act (Methyl Bromide and PCP)	(Failed)
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### Economic Poison (cont'd)

AB 142	Bowen	Public Records (Electronic Format)	(Failed)
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AB 450	Hauser	Exempt Creosote as a Pollutant in Lakes and Streams	(Failed)
AB 1561	Harvey	Pesticide Registration	(Failed)
AB 2031	Frusetta	Economic Poison (Adoption of Regulation)	(Failed)
SB 283	Costa	Economic Poison (Emergency Registration)	(Chapter 95-608)
SB 800	Monteith	Economic Poisons (Regulations)	(Chapter 95-705)
SB 802	Monteith	Economic Poisons	(Chapter 96-435)
SB 810	Monteith	Pest Control (Economic Poisons)	(Chapter 95-251)
SB 929	Petris	Pesticide Poisoning Prevention Act of 1995	(Failed)
SB 1416	Thompson	Aquatic Weeds (Boating)	(Chapter 96-995)
SB 1423	O'Connell	Economic Poison (Mill Assessment)	(Failed)
SB 1652	Thompson	Economic Poisons (Purchase by Public Agencies)	(Failed)

### Electronic Format

AB 4	Bates	Public Access to Government Information	(Failed)
AB 142	Bowen	Public Records (Electronic Format)	(Failed)

### Emergency Registration

SB 283	Costa	Economic Poison (Emergency Registration)	(Chapter 95-608)
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### Enforcement/Compliance

AB 165	Richter	General Plans (State Agency Compliance)	(Failed)
AB 863	Aguiar	Environmental Protection (Fees)	(Failed)
AB 1142	Baldwin	Regulations (Compliance Review)	(Failed)
AB 3476	Committee on Environmental Safety & Toxic Materials	Cal/EPA (Reduced Facility Inspection Frequency Programs)	(Failed)
SB 452	Johannessen	Public Availability & Judicial Review of Regulations	(Failed)
SB 530	Kelley	Structural Pest Control	(Chapter 96-71)
SB 1299	Peace	Environmental Protection (Permits)	(Chapter 95-872)
SB 2062	Rogers	CAC (Enforcement Programs - Study)	(Chapter 96-635)
SB 2170	Mountjoy	Air Pollution (Market Based)	(Chapter 96-618)

### Environmental Audits/Farming/Quality

AB 389	Cannella	Environmental Farming Program	(Chapter 95-108)
AB 863	Aguiar	Environmental Protection (Fees)	(Failed)
AB 2858	Machado	Environmental Audit Reports	(Failed)
AB 3048	Olberg	Air Pollution	(Chapter 96-777)
SB 1299	Peace	Environmental Protection (Permits)	(Chapter 95-872)

### Fees/Penalties

AB 211	Richter	Public Officers and Employees	(Failed)
AB 552	House	Unfair Competition (Penalties)	(Chapter 95-618)

### Fees/Penalties (cont'd)

AB 573	Goldsmith	General Fund (Fines and Penalties)	(Failed)
AB 777	Speier	State Tort Liability (Sexual Harassment)	(Failed)



AB 863	Aguiar	Environmental Protection (Fees)	(Failed)
AB 1180	Morrissey	Administrative Adjudication	(Failed)
AB 1475	Pringle	Quarterly Reports	(Chapter 96-1127)
AB 2379	Margett	State Mandates	(Failed)
AB 2445	McPherson	California State Mussel Watch Program	(Failed)
AB 2858	Machado	Environmental Audit Reports	(Failed)
AB 3159	Olberg	Civil Penalties	(Failed)
ACA 7	Pringle	State Mandated Program	(Failed)
SB 6	Hayden	Water Quality	(Failed)
SB 338	Campbell	State Funds	(Chapter 95-654)
SB 342	Campbell	State Agencies (Fees)	(Chapter 95-685)
SB 378	Calderon	Pests (Fumigation)	(Chapter 95-691)
SB 530	Kelley	Structural Pest Control	(Chapter 96-71)

### Fumigation

AB 3286	Miller	Posting Notice Prior to Structural Fumigation	(Failed)
SB 378	Calderon	Pests (Fumigation)	(Chapter 95-691)
SB 530	Kelley	Structural Pest Control	(Chapter 96-071)
SB 1546	Lewis	Structural Pest Control Services	(Chapter 96-398)

### Ground Water

SB 810	Monteith	Pest Control (Economic Poisons)	(Chapter 95-251)
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### Health & Safety Issues

AB 1724	McPherson	School Facilities (Agricultural Zones)	(Chapter 96-509)
AB 2684	Kaloogian	Abolition and Review of State Regulatory	(Failed)
SB 739	Polanco	Regulations (Federal Consistency)	(Failed)
SB 1287	Hayden	Estrogen-Imitating Chemical Compounds	(Failed)

### Inspection/Licensing/Notices/Requirements

AB 816	Murray	County Agricultural Commissioners (Penalties)	(Chapter 95-816)
AB 1135	Morrissey	Administrative Regulations	(Failed)
AB 1182	Kuykendall	Structural Pest Control Operators	(Chapter 95-273)
AB 3286	Miller	Posting Notice Prior to Structural Fumigation	(Failed)
AB 3303	House	Search Warrants	(Failed)
AB 3476	Committee on Environmental Safety & Toxic Materials	Cal/EPA (Reduced Facility Inspection Frequency Programs)	(Failed)
SB 6	Hayden	Water Quality	(Failed)
SB 1546	Lewis	Structural Pest Control Services	(Chapter 96-398)

### Legislative Reports

AB 13X	Frusetta/Harvey	Birth Defect Prevention Act (Methyl Bromide and PCP)	(Failed)
AB 116	Speier	Legislative Reports	(Chapter 96-970)
AB 124	Rainey	Economic Poisons	(Chapter 96-361)
AB 137	Olberg	Endangered Species	(Chapter 96-972)
AB 564	Cannella	Air Toxic	(Chapter 96-602)
AB 1475	Pringle	Quarterly Reports	(Chapter 96-1127)
AB 2458	Figueroa	Reports to the Legislature	(Chapter 96-818)
AB 2989	Bowen	Records (Paper Reduction Act of 1996)	(Failed)
SB 1XXX	Mello	Methyl Bromide	(Chapter 96-0001)
SB 6	Hayden	Water Quality	(Failed)
SB 329	Campbell	State Regulations (Legislature Oversight)	(Failed)
SB 974	Alquist	State Government (Performance Audits)	(Failed)
SB 1507	Petris	Legislature (Public Records: Retention)	(Chapter 96-928)
SB 2062	Rogers	CAC (Enforcement Programs - Study)	(Chapter 96-635)

### Local Government/Mandates

AB 1537	Aguiar	State Mandated Local Programs	(Failed)
AB 2379	Margett	State Mandates	(Failed)
ACA 7	Pringle	State Mandated Program	(Failed)
SB 11	Ayala	State Mandated Local Programs	(Chapter 95-945)
SB 19	Johannessen	State Mandated Local Programs	(Chapter 96-45)
SB 974	Alquist	State Government (Performance Audits)	(Failed)
SB 1268	Costa	Resource Conservation Districts	(Chapter 96-994)
SB 2062	Rogers	CAC (Enforcement Programs -Study)	(Chapter 96-635)

### Methyl Bromide

AB 13X	Frusetta/Harvey	Birth Defect Prevention Act (Methyl Bromide and PCP)	(Failed)
AB 2031	Frusetta	Economic Poison (Adoption of Regulation)	(Failed)
SB 1XXX	Mello	Methyl Bromide	(Chapter 96-0001)
SB 1371	Mello	Mill Assessment & Birth Defect Prevention Act	(Failed)

### Mill Assessment

AB 2264	Poochigian	Mill Assessment & Pesticide Regulatory Program Reforms	(Failed)
SB 810	Monteith	Pest Control (Economic Poisons)	(Chapter 95-251)
SB 1371	Mello	Mill Assessment & Birth Defect Prevention Act	(Failed)
SB 1423	O'Connell	Economic Poison (Mill Assessment)	(Failed)
SB 1750	Monteith	Mill Assessment & Pesticide Regulatory Program Reforms	(Failed)

### Minor Crop Reform

SB 802	Monteith	Economic Poison	(Chapter 96-435)
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### Pentachlorophenol (PCP)

SB 1XXX	Mello	Methyl Bromide	(Chapter 96-0001)
SB 1371	Mello	Mill Assessment & Birth Defect Prevention Act	(Failed)

### Permits

SB 800	Monteith	Economic Poisons (Regulations)	(Chapter 95-705)
SB 802	Monteith	Economic Poisons	(Chapter 96-435)
SB 1177	Killea	Endangered Species	(Failed)
SB 1299	Peace	Environmental Protection (Permits)	(Chapter 95-872)
SB 2015	Leonard	Air Pollution (Permitting Policies)	(Failed)
SB 2170	Mountjoy	Air Pollution: Market Based	(Chapter 96-618)

### Pesticide Registration

AB 179	Battin	Emergency Exemption from Registration Process	(Failed)
AB 873	Bowen	Registration of Pesticides	(Failed)
AB 1561	Harvey	Pesticide Registration	(Failed)
SB 283	Costa	Economic Poison (Emergency Registration)	(Chapter 96-608)
SB 929	Petris	Pesticide Poisoning Prevention Act of 1995	(Failed)
SB 1423	O'Connell	Economic Poison (Mill Assessment)	(Failed)
SB 1652	Thompson	Economic Poisons (Purchase by Public Agencies)	(Failed)

### Pesticide Broker/Dealer/Products

AB 179	Battin	Emergency Exemption from Registration Process	(Failed)
AB 1561	Harvey	Pesticide Registration	(Failed)
SB 810	Monteith	Pest Control (Economic Poisons)	(Chapter 95-251)
SB 929	Petris	Pesticide Poisoning Prevention Act of 1995	(Failed)
SB 1371	Mello	Mill Assessment & Birth Defect Prevention Act	(Failed)
SB 1423	O'Connell	Economic Poison (Mill Assessment)	(Failed)
SB 1652	Thompson	Economic Poisons (Purchase by Public Agencies)	(Failed)

### Public Records/Information

AB 4	Bates	Public Access to Government Information	(Failed)
AB 142	Bowen	Public Records (Electronic Format)	(Failed)
AB 874	Campbell	Endangered Species	(Failed)
AB 2989	Bowen	Records (Paper Reduction Act of 1996)	(Failed)
AB 3476	Committee on Environmental Safety & Toxic Materials	Cal/EPA (Reduced Facility Inspection Frequency Programs)	(Failed)
SB 323	Kopp	California Newspaper Association	(Failed)
SB 176	Alquist	Information on Household Hazardous Substances	(Failed)
SB 452	Johannessen	Public Availability & Judicial Review of Regulations	(Failed)
SB 1910	Johannessen	Administrative Regulations	(Chapter 96-501)

### Regulations/Procedure

AB 124	Rainey	Economic Poison	(Chapter 96-361)
AB 177	Mountjoy	Air Pollution	(Failed)
AB 510	Battin	Seed Labeling	(Failed)
AB 873	Bowen	Registration of Pesticides	(Failed)
AB 1135	Morrissey	Administrative Regulations	(Failed)
AB 1142	Baldwin	Regulations (Compliance Review)	(Failed)
AB 1160	Morrissey	State-Federal Regulation Consistency	(Failed)
AB 1179	Bordonaro	Regulation (Trade and Commerce Oversight)	(Failed)

### Regulations/Procedure (cont'd)

AB 1180	Morrissey	Administrative Adjudication	(Failed)
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AB 1580	Bowen	Governmental entities (Opt-in Clause)	(Failed)
AB 1659	Woods	Administrative Regulations	(Failed)
AB 1857	Brewer	State Regulations	(Failed)
AB 2031	Frusetta	Economic Poison (Adoption of Regulation)	(Failed)
AB 2793	Baldwin	Administrative Regulations Plan	(Failed)
AB 2896	Goldsmith	Cost Benefit Analysis (Regulations)	(Failed)
AB 3046	Olberg	Air Pollution	(Chapter 96-610)
AB 3146	Brewer	State Duplication of Federal Regulations	(Failed)
AB 3158	Olberg	Environmental Regulatory Cost-Effectiveness Commission	(Failed)
AB 3286	Miller	Posting Notice Prior to Structural Fumigation	(Failed)
AB 3476	Committee on Environmental Safety & Toxic Materials	Cal/EPA (Reduced Facility Inspection Frequency Programs)	(Failed)
SB 297	Campbell	Regulatory Activity Principle Contact	(Chapter 95-650)
SB 329	Campbell	State Regulations (Legislature Oversight)	(Failed)
SB 338	Campbell	State Funds	(Chapter 95-654)
SB 339	Campbell	State Regulations (Expiration Date)	(Failed)
SB 452	Johannessen	Public Availability & Judicial Review of Regulations	(Failed)
SB 625	Johannessen	Regulations (Economic Impacts)	(Failed)
SB 739	Polanco	Regulations (Federal Consistency)	(Failed)
SB 800	Monteith	Economic Poison (Regulations)	(Chapter 95-705)
SB 802	Monteith	Economic Poison	(Chapter 96-435)
SB 812	Monteith	Air pollution (Particulate Matter)	(Failed)
SB 834	Hayden	Definition of Lobbyist	(Failed)
SB 1098	Dills	Air Pollution	(Chapter 95-856)
SB 1122	Mountjoy	Regulations (Small Businesses)	(Failed)
SB 1299	Peace	Environmental Protection (Permits)	(Chapter 95-872)
SB 1910	Johannessen	Administrative Regulations	(Chapter 96-501)

### Regulatory Agencies

AB 2193	Rainey	Sacramento-San Joaquin Delta (Egeria Densa)	(Chapter 96-728)
SB 339	Campbell	State Regulations (Expiration Date)	(Failed)
SB 1122	Mountjoy	Regulations (Small Businesses)	(Failed)
SB 2062	Rogers	CAC (Enforcement Programs - Study)	(Chapter 96-635)

### Regulatory Reform

AB 1135	Morrissey	Administrative Regulations	(Failed)
AB 1475	Pringle	Quarterly Reports	(Chapter 96-1127)
AB 1857	Brewer	State Regulations	(Failed)
AB 2264	Poochigian	Pesticide Regulatory Program Reforms	(Failed)
AB 2684	Kaloogian	Abolition & Review of State Regulatory Agencies	(Failed)
AB 3146	Brewer	State Duplication of Federal Regulations	(Failed)
AB 3292	Sher	Small Businesses	(Failed)
AB 3476	Committee on Environmental Safety & Toxic Materials	Cal/EPA (Reduced Facility Inspection Frequency Programs)	(Failed)

### Regulatory Reform (cont'd)

AB 3477	Committee on Environmental Safety and Toxic	Unified Code of Environmental Statutes	(Failed)
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	Materials		
SB 1222	Calderon	Hazardous Waste Management	(Chapter 95-638)
SB 1750	Monteith	Mill Assessment & Pesticide Regulatory Program Reforms	(Failed)
SB 1910	Johannessen	Administrative Regulations	(Chapter 96-501)

### Rulemaking

AB 3292	Sher	Small Businesses	(Failed)
SB 523	Kopp	Administrative (Procedure)	(Chapter 95-938)
SB 1507	Petris	Legislature (Public Records - Retention)	(Chapter 96-928)

### School Districts

AB 1537	Aguiar	State Mandated Local Programs	(Failed)
AB 1724	McPherson	School Facilities (Agricultural Zones)	(Chapter 96-509)

### Scientific Evidence (Standards)

AB 2264	Poochigian	Pesticide Regulatory Program Reforms	(Failed)
SB 1400	Monteith	Scientific Evidence	(Failed)
SB 1750	Monteith	Mill Assessment & Pesticide Regulatory Program Reforms	(Failed)

### Seed Labeling/ Production

AB 510	Battin	Seed Labeling	(Failed)
AB 697	Cannella	Seed Production	(Chapter 95-287)

### Signatures: Digital/Manual

AB 1577	Bowen	Digital Signature	(Chapter 95-594)
ACR 11	Aguiar	Disabled Access (Signage)	(95-R-049)

### State Funds

AB 124	Rainey	Economic Poisons	(Chapter 96-361)
AB 573	Goldsmith	General Fund (Fines and Penalties)	(Failed)
AB 1336	Sweeny	Environmental Indicators	(Failed)
AB 1537	Aguiar	State Mandated Local Programs	(Failed)
AB 2130	McPherson	California State Mussel Watch Program	(Failed)
AB 2445	McPherson	California State Mussel Watch Program	(Failed)
ACA 7	Pringle	State Mandated Program	(Failed)
SB 338	Campbell	State Funds	(Chapter 95-654)
SB 974	Alquist	State Government (Performance Audits)	(Failed)
SB 2062	Rogers	CAC (Enforcement Programs - Study)	(Chapter 96-635)

### State Agencies

AB 3158	Olberg	Environmental Regulatory Cost-Effectiveness Commission	(Failed)
AB 3159	Olberg	Civil Penalties	(Failed)
SB 286	Polanco	State Procurement (Information Technology)	(Failed)
SB 342	Campbell	State Agencies (Fees)	(Chapter 95-685)
SB 339	Campbell	State Regulations (Expiration Date)	(Failed)
SB 1390	Johnston	Written Communications of State Agencies	(Failed)
SB 1400	Monteith	Scientific Evidence	(Failed)

### Structural Pest Control

AB 568	Brown	Pest Control Operators	(Chapter 95-718)
AB 873	Bowen	Registration of Pesticides	(Failed)
AB 1182	Kuykendall	Structural Pest Control Operators	(Chapter 95-273)
AB 3286	Miller	Posting Notice Prior to Structural Fumigation	(Failed)
SB 157	Kelley	Grass Carp (Aquatic Plant Pest Control)	(Chapter 95-249)
SB 378	Calderon	Pests (Fumigation)	(Chapter 95-691)
SB 530	Kelley	Structural Pest Control	(Chapter 96-71)
SB 810	Monteith	Pest Control (Economic Poisons)	(Chapter 95-251)
SB 1416	Thompson	Aquatic Weeds (Boating)	(Chapter 96-995)
SB 1546	Lewis	Structural Pest Control Services	(Chapter 96-398)

### Taxes

AB 1442	Baca	Taxes (Credits - Environmental Mitigation)	(Failed)
AB 2379	Margett	State Mandates	(Failed)
ACA 7	Pringle	State Mandated Program	(Failed)

### Unfair Competition

AB 552	House	Unfair Competition (Penalties)	(Chapter 95-618)
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### Waste (Hazardous)

AB 2202	Baca	Household Hazardous Products	(Chapter 96-647)
SB 176	Alquist	Information on Household Hazardous Substances	(Failed)
SB 205	Kelley	Waste Discharge Requirement	(Chapter 95-613)
SB 572	Kelley	Water Quality (Waste Discharge Requirements)	(Chapter 95-421)
SB 1222	Calderon	Hazardous Waste Management	(Chapter 95-638)

### Water Quality

AB 450	Hauser	Exempt Creosote as a Pollutant in Lakes and Streams	(Failed)
AB 2193	Rainey	Sacramento-San Joaquin Delta (Egeria Densa)	(Chapter 96-728)
SB 6	Hayden	Water Quality	(Failed)
SB 572	Kelley	Water Quality (Waste Discharge Requirements)	(Chapter 95-421)
SB 649	Costa	Water Pollution	(Chapter 96-1122)
SB 810	Monteith	Pest Control (Economic Poisons)	(Chapter 95-251)
SB 929	Petris	Pesticide Poisoning Prevention Act of 1995	(Failed)

Written Communication

AB 1577      Bowen  
SB 1390      Johnston

Digital Signature  
Written Communications of State Agencies

(Chapter 95-594)  
(Failed)

## ASSEMBLY BILLS - Statutes of 1995

AB 389/Cannella (Chapter 95-108)

***Environmental Farming Program***

This bill requires CDFA to establish and oversee an environmental farming program, which would provide incentives to agricultural operations and recognize their contributions to overall environmental quality. (**Amend** Fish & Game Code Sections 1777.2 & 1784; **Add** FAC Article 8.5 (commencing with Section 560) to Chapter 3 of Part 1 of Division 1)

AB 552/House (Chapter 95-618)

***Unfair Competition: penalties***

Existing law prescribes penalties for conduct defined as unfair competition. This bill authorizes the collection of a fine or monetary penalty for the same conduct under either specified pollution unfair competition provisions, but not both. (**Add** Health & Safety Code Section 42400.6)

AB 568/Brown (Chapter 95-718)

***Pest Control Operators***

This bill provides an exemption from existing pest control licensing requirements for persons engaged solely in the live capture and removal or exclusion of vertebrate pests, bees, or wasps without the use of pesticides, if certain requirements are met. The bill also increases from \$500 to \$1000 the eligible fine for a person or business who acts in violation of the Structural Pest Control Act which is enforced locally by the CAC's. The bill clarifies that this enforcement authority may also be exercised against unlicensed persons operating without a license. (**Amend** FAC Sections 11531 & 15202)

AB 697/Cannella (Chapter 95-287)

***Seed Production***

This bill provides that alfalfa and all vegetable crops, when grown for seed production, shall be considered to be nonfood and nonfeed sites of pesticide use for the purpose of pesticide registration. Corn, beans, pumpkin, and peas are exempt from the definition of nonfood/nonfeed sites. In order to be determined to be a nonfood or nonfeed site, certain conditions must be met: (1) all seed screening must be disposed of in a way where the seed cannot be used for food or feed, and records of the disposal must be kept for three years; (2) no portion of the seed plant may be used for food or feed; (3) all seed crops grown in California must bear a tag or label that forbids use for feed and food purposes; and (4) the seed may not be distributed for human food or animal feed. Enforcement of the provisions of this bill fall under the jurisdiction of both DPR and the California Department of Food and Agriculture. (**Add** FAC Section 12832)

AB 816/Murray (Chapter 95-816)

***County Agricultural Commissioners: penalties***

This bill limits the liability of an employee of a county department of agriculture, duplicating the general protection afforded by the Government Tort Claims Act. The bill also clarifies who is eligible to be licensed as a county agricultural inspector. (**Amend** FAC Section 2106 & **Add** FAC Section 2286)

## ASSEMBLY BILLS - Statutes of 1995 (cont'd)



AB 1182/Kuykendall (Chapter 95-273)

***Structural Pest Control Operators***

Existing law provides for the licensing and registration of persons and companies that engage in the business of structural pest control. Under these provisions, when a registered company completes a project, it must file a notice of work completed with the SPCB within five working days. This bill provides that a registered company must file a notice of work completed and not completed within 10 working days of completion. (**Amend** Business & Professions Code Sections 8518 & 8674)

AB 1577/Bowen (Chapter 95-594)

***Digital Signature***

This bill provides that, in any written communication with a public entity, a signature may be affixed using a digital signature which would have the same force and effect as the use of a manual signature if it complies with the bill's requirements, including a requirement that it conform to regulations adopted by the Secretary of State. (**Add** Govt. Code Section 16.5)

AB 1845/Cortese (Chapter 95-330)

***Urban Water Supplies: water service reliability assessment***

This bill requires every urban water supplier to include, as part of its urban water management plan, a prescribed water supply and demand assessment of the reliability of its water service to its customers during normal, dry, and critically dry water runoff years. (**Amend** Water Code Section 10610.2 & **Add** Water Code Article 2.5 (commencing with section 10635) to Chapter 3 of Part 2.6 of Division 6)

ACR 11/Aguiar (95-R-049)

***Disabled Access: signage***

This measure directs the Division of the State Architects to notify designers and manufacturers of Braille tactile signage to produce products for use in the State to meet the requirements of the federal Americans with Disabilities Act. (**No** Code Sections added, amended or repealed)

## SENATE BILLS - Statutes of 1995

SB 1 (Alquist (Chapter 95-508)

***Department of Information Technology***

This bill creates the Department of Information Technology in place of the existing Office of Information Technology in the Department of Finance. The department's responsibilities would be to provide leadership, guidance, and oversight of information technology in the state government. This bill contains other related provisions, as specified. (**Repeal & Add** Govt. Code Chapter 7 (commencing with Section 11700) or Part 1 of Division 3 of Title 2)

SB 11/Ayala (Chapter 95-945)

***State Mandated-Local Programs***

This bill specifies that the Commission on State Mandates shall meet at least once a month. This bill contains other related provisions, as specified. (**Amend, Repeal & Add** Govt. Code Sections 17526, 17553, 17555, 17558.5, 17562, 17557, 17558; **Add** Govt. Code Sections 17561.5 & 17561.6; **Amend & Repeal** Revenue & Taxation Code Section 2246)

SB 157/Kelley (Chapter 95-249)

***Grass Carp: aquatic plant pest control***

This bill requires DFG to adopt regulations that provide for the control of aquatic plant pests using artificially introduced triploid grass carp, as described, in Imperial, Riverside, and San Bernardino counties under a permit issued by the Department with specified conditions. (**Add** Fish & Game Code Article 4 (commencing with Section 6450) to Chapter 5 of Part 1 of Division 6)

SB 205/Kelley (Chapter 95-613)

***Waste Discharge Requirement: sewage sludge: waiver***

This bill requires the SWRCB or a regional board, upon receipt of applications for waste discharge requirements for discharges of treated, or chemically fixed sewage sludge and other biological solids, to prescribe general waste requirements for those sludges and solids, as specified. (**Add** Water Code Section 13274)

SB 283/Costa (Chapter 95-608)

***Economic Poison: emergency registration***

This bill grants DPR the authority to issue a "certificate of emergency registration" for a pesticide product, under certain specified conditions, without a complete review of the submitted data. In order to qualify for a certificate of emergency registration, certain conditions must be met: (1) the product is federally registered; (2) a federal emergency exemption from registration was previously issued pursuant to Section 18 of the Federal Insecticide Fungicide and Rodenticide Act on the active ingredient in the pesticide; (3) the applicant demonstrates that the pesticide qualifies for registration and DPR determines that it is probable that the product will be registered within one year; (4) the applicant submits all data required for registration and (5) the Director makes certain findings. The bill requires the Director to establish limitation on the use of the pesticide, including that use of the pesticide be limited to the emergency pest infestation. The certificate of emergency registration may be issued for a period not to exceed one year, and may be renewed one time only. The bill establishes conditions under which the certificate of emergency registration can be renewed. (**Add** FAC Section 12833)

## SENATE BILLS - Statutes of 1995 (cont'd)

SB 297/Campbell (Chapter 95-650)

***State Regulatory Activities: principal agencies***

This bill requires that, if a principal State agency is not designated by statute, a principal State agency shall be designated by the Governor for the coordination of procedures, forms, and deadlines in every area of regulatory activity under the jurisdiction of the State, as determined by the Governor.

(**Add** Govt. Code Section 11019.6)

SB 338/Campbell (Chapter 95-654)

***State Funds***

This bill provides that revenues derived from the assessment of fines and penalties by any State agency shall not be expended unless the Legislature specifically provides authority for the expenditure of these funds in the Annual Budget Act or other legislation. (**Add** Govt. Code Section 13332.18)

SB 342/Campbell (Chapter 95-685)

***State Agencies: fees***

This bill prohibits State agencies from levying or collecting fees or charges in an amount exceeding the estimated, actual, or reasonable cost of providing the service, inspection, or audit for which the fee or charge is levied or collected, including those cost components specified in existing law. (**Add** Govt. Code Section 11010)

SB 378/Calderon (Chapter 95-691)

***Pests: fumigation***

This bill prohibits a fire department from charging fees for any service related to structural pest control activities except for the costs of an emergency response necessitated by illegal or negligent actions. This bill contains other related provisions, as specified. (**Amend** Business & Professions Code Sections 8505.5 & 8698.6; **Amend** Budget Act of 1994 Item 3930-102-06)

SB 426/Leslie (Chapter 95-642)

***Environmental Advertising***

This bill repeals provisions of existing law related to environmental advertising and, instead, provides that a person may not, in the course of his or her business vocation, or occupation, make any untruthful, deceptive or misleading environmental marketing claims about a product or package sold or offered for sale in this State. This bill contains other related provisions, as specified. (**Repeal** Business & Professions Code Section 17508.5; **Repeal & Add** Section 17580)

SB 523/Kopp (Chapter 95-938)

***Administrative: procedure***

The APA contains provisions governing the conduct of administrative adjudication and rulemaking proceedings of State agencies. This bill revises the procedures for administrative adjudications by expanding the hearing procedure options available to State agencies and by including additional due process and public policy requirements, as specified. This bill also makes various technical, nonsubstantive changes. (**Amend** Fish & Game Code Sections 202 & 355; **Amend** Health & Safety Code Sections 443.37, 1551.5, 1568.065, 1569.515, 1596.8875, 1569.515, 1596.8875, 11830, 11830.5, 11834.37, 11994, 18930, 18949.6, 25149, 25229, 25299.59, 25375.5, 32154, 39657, 40843, 50199.17, & 57005; **Amend** Revenue & Taxation Code Sections 1636, 19044 & 19084; **Amend** Business & Professions Code Sections 124, 4160, 10175.2 7 23083)

## SENATE BILLS - Statutes of 1995 (cont'd)

SB 572/Kelley (Chapter 95-421)

***Water Quality: waste discharge requirements***

SB 572 provides that the State Water Resources Control Board or a regional board may prescribe general waste discharge requirements for a category of discharges. The State board or regional board may prescribe the discharge requirements based upon on specified criteria. (**Amend** Water Code Section 13263)

SB 800/Monteith (Chapter 95-705)

***Economic Poisons: regulations***

This bill separates private applicator certification from the issuance of restricted material permits. The bill converts the existing annual private applicator certification into a 3-year certification. Renewal of the certification would be accomplished through examination or through completion of accredited continuing education instruction. The bill provides a transition from the annual certification process to the 3-year certification process, with minimal impact to the regulated public or existing local programs. In addition, the bill creates an unlawful act for a private applicator to possess, use, or supervise the use of a restricted material unless that person has a valid private applicator certificate, and provides authority for the CACs or DPR to refuse, revoke, or suspend the private applicator certificate for failure to comply with the existing statutes and regulations governing the use of pesticides in California. The bill became operative on January 1, 1997, providing one year for an outreach effort to communicate the requirements of the program to applicators and continuing education providers. (**Amend** FAC Section 11502.5; **Add** FAC Section 14015 & FAC Chapter 3.4 (commencing with Section 14090) to Division 7)

SB 810/Monteith (Chapter 95-251)

***Pest Control: economic poisons***

The bill expands the Department's ability to confirm the finding of pesticide in ground water to either a single analytical method that provides an unequivocal identification of a chemical, such as mass spectroscopy, or on verification, within 30 days by a second analytical method or second analytical laboratory approved by DPR. The bill also cleans-up language from AB 770 (Chapter 1176, Statutes of 1993), the pesticide broker licensing bill, to require unlicensed brokers and dealers to pay the pesticide mill assessment. (**Amend** FAC Sections 6027.5, 6029, 12848.6, 12848.7, 12848.8 & 13149)

SB 1098/Dills (Chapter 95-856)

***Air Pollution: market-based incentive program***

This bill requires the air pollution control districts and air quality management districts, as to sources in the South Coast Air Quality Management District and Ventura County until January 1, 1999, and statewide on and after that date, to grant emission reduction credits or marketable trading credits without discount or reduction, except as specified, to sources that are exempt from specified district rules and regulations. (**Add** Health & Safety Code Section 40714.5)

SB 1222/Calderon (Chapter 95-638)

***Hazardous Waste Management***

This bill enacts the Hazardous Waste Management Reform Act of 1995. Existing law defines the term "hazardous waste" for purpose of the hazardous waste control laws as meaning a waste which meets specified criteria adopted by DTSC. This bill revises the definition of hazardous waste. (**Amend** Health & Safety Code Sections 25117, 25141, 25141.5, 25160, 25174, 25174.1, 25174.6, 25200.3, 25200.14, 25205.7 & 25205.22; **Add** Health & Safety Code Sections 25200.15 & 25200.18; **Repeal** Health & Safety Code Sections 25155.5, 25155.6, 25155.7 & 25174.9; **Repeal & Add** Article 7.7 (commencing with Section 25179.1) of Chapter 6.5 of Division 20; **Amend** Revenue & Taxation Code Section 43151)

## SENATE BILLS - Statutes of 1995 (cont'd)

SB 1299/Peace (Chapter 95-872)

***Environmental Protection: permits***

This bill requires the Secretary of Cal/EPA, by January 1, 1997, to adopt regulations establishing the permit consolidation zone pilot program consisting of specified application, administrative, and enforcement processes. This program does not include pesticide permits. **(Add & Repeal** Chapter 5 (commencing with Section 71035) of Part 1 of Division 34 of the Public Resources Code)

## ASSEMBLY BILLS - Statutes of 1996

AB 116/Speier (Chapter 96-0970)

***Legislative Oversight: reports***

This bill places a moratorium, until October 1, 1999, on the preparation and submission of certain reports which are required to be submitted to the Governor or the Legislature, and lists a number of reports which are not included in the moratorium. This bill does not change the number of reports DPR is required to submit. (**Add & Repeal** Section 7550.5 of the Govt. Code)

AB 124/Rainey (Chapter 96-0361)

***Economic Poisons***

This bill requires DPR to keep a record of the classes and sources of income credited to, and disbursed from, the DPR Fund and to publish a report describing in detail the amount and source of funding of, and the costs to operate, each branch of the department; requires the director to notify the promulgating entity if the director determines that an ordinance or regulation is preempted by State law, and to maintain an action for declaratory relief to have the ordinance or regulation declared void, and also to bring an action to enjoin enforcement of the ordinance or regulation, and converts the term "economic poison" wherever it appears in the Food and Agricultural Code to "pesticide". (**Amend** FAC Sections 5502, 5503, 5506, 771, 5772, 5774.5, 5775, 5776, 5777, 5778, 11404, 11501, 11501.1, 11896, 11897, 12115, 12115.1, 12115.3, 12115.5, 12503, 12648, 12648.5, 12648.6, 12753, 1275, 12757.5, 12758, 12758.5, 12783, 12802, 12811, 12814, 12815, 12821, 12822, 12823, 12824, 1282, 12825.5, 12826, 12827, 12827.5, 12828.5, 12829, 12832, 12833, 12841, 12841.1, 12845, 12847, 12848, 12848.1, 12848.6, 12848.7, 12848.9, 12851, 12852, 12853, 12854, 12855, 12856, 12857, 12858, 12859, 12881, 12882, 12883, 12884, 12911, 12931, 12932, 12961, 12991, 12992, 12993, 12994, 12995, 13101, 13102, 13142, 13143, 13144, 13145, 13146, 13147, 13148, 13149, 13150, 13151, 13152, 14012, 14021, 14063, 14101, 14262 & 14513; **Amend** heading of FAC Chapter 2 (commencing with Section 12751) of Division 7 of; **Add** FAC Sections 11472 and 11472.1)

AB 137/Olberg (Chapter 96-0972)

***Candidate, Endangered, and Threatened Species***

This bill requires the Governor to establish a commission to study the economic impact of protecting candidate, threatened, and endangered species under the Act. This bill has no impact on DPR. (**Add** Sections 2099 & 2100 to the Fish & Game Code)

AB 564/Cannella (Chapter 96-0602)

***Air Toxics: emission inventories and risk assessments***

This bill exempts facilities from the requirements of the Air Toxics "Hot Spots" Information and Assessment Act of 1987, except as specified, and prescribes the circumstances that would subsequently make an exempt facility again subject to the Act; exempt a new facility from certain report requirements under prescribed conditions, and limit the fees charged by a district for processing emission inventory updates. The bill also imposes a prescribed limit on the reasonable anticipated costs of ARB and OEHHA in administering the Act that are used as the basis for the fee schedule adopted by each air district to recover such costs. This bill has no impact on DPR. (**Amend** Sections 44344.5, 44344.7, 44362, & 44380 of; **Add** Sections 44344.4 & 44344.6 to; **Repeal** Section 44344.3 of the Health & Safety Code)

AB 1475/Pringle (Chapter 96-1127)

***Quarterly Reports: assessment fees and charges***

This bill requires all State boards, agencies, and departments to submit to the Trade and Commerce Agency's Office of Permit Assistance "quarterly reports of the total dollar amount of fees or charges collected or assessed...", except fees or charges collected on behalf of any local regulatory entity, department, and district."

ASSEMBLY BILLS - Statutes of 1996 (cont'd)

Each report is to "list separately each fee or charge collected or assessed" and is to contain a certification that the information submitted "is an accurate and complete record..." The first report required is for the January-March quarter of 1997, and is due on, or before, June 30, 1997. (**Add** Sections 15399.57 & 15399.58 to the Govt. Code)

AB 1724/McPherson (Chapter 96-0509)

***School Facilities: areas zoned for agricultural production***

This bill requires the governing board of the school district to make certain findings, including a finding that the school district will attempt to minimize any public health and safety issues resulting from the agricultural uses that may effect the pupils and employees at the school site *before* commencing the acquisition of property for a new school site in an area designated in a city, county, or city & county general plan for agricultural use and zoned for agricultural production. This bill has no direct on impact on DPR. (**Add** Section 39006 to the Education Code)

AB 2193/Rainey (Chapter 96-0728)

***Sacramento-San Joaquin Delta: egeria densa***

This bill designates the Department of Boating and Waterways as the lead agency of the State in cooperating with the Federal and other public agencies controlling water hyacinth and egeria densa in the delta, its tributaries, and the Suisun Marsh. This bill does not affect the regulatory authority of DPR over the use of pesticide in this control program. (**Amend** Section 64 of the Harbors & Navigation Code)

AB 2202/Baca (Chapter 96-0647)

***Household Hazardous Products or Materials***

This bill adds a provision to the California Integrated Waste Management Act of 1989 to authorize a public agency to conduct a materials exchange as part of a household hazardous waste collection program. This action will be taken if the public agency determines which reusable household hazardous product or materials are suitable for distribution in accordance with a quality assurance plan. This bill has no impact on DPR.

(**Amend** Section 25218.1 of, **Add** Section 25218.12 to the Health & Safety Code; **Amend** Section 47550 of the Public Resources Code)

AB 2369/Takasugi (Chapter 96-0984)

***Air Pollution: Title V permits***

This bill requires local air districts to identify terms and conditions of a permit issued to meet the requirements of Title V of the Federal Clean Air Act that are federally enforceable. The identification of the terms would be made by local air districts, upon request by permittee, or if permit terms and conditions are imposed by a federal requirement. (**Amend** Section 42301.12 of the Health & Safety Code)

AB 2458/Figueroa (Chapter 96-0818)

***Reports to the Legislature***

This bill requires any report, study, or audit, required by law to be submitted to the Legislature, shall instead, be submitted to the Legislative Counsel, the Secretary of the Senate, and the Chief Clerk of the Assembly. Each report shall include a summary of its contents. This bill changes the manner of distribution of reports DPR is required to submit to the Governor or Legislature. (**Add** Article 6 (commencing with Section 9795) to Chapter 7 of Part I of Division 2 of Title 2 of, & **Repeal** Section 11095 of the Govt. Code)

## **ASSEMBLY BILLS - Statutes of 1996 (cont'd)**

AB 2981/Brewer (Chapter 96-0609)

***Air Pollution: market-based incentive programs***

This bill defines the terms “trading program with capped emissions” and “emission-capped trading program.” This bill prescribes instances in which the South Coast Air Quality Management District Board may prohibit the South Coast District Hearing Board from granting variances from specified provisions of a market-based incentive program or from specified requirements of federal law. This bill has no direct impact on DPR. (**Add** Sections 39053.6 & 40500.5 to the Health & Safety Code)

AB 3046/Olberg (Chapter 96-0610)

***Air Pollution: market-based incentive plan***

This bill requires specified air districts to grant, as of January 1, 1997, and January 1, 1998, and all air districts to grant as of January 1, 1999, emission reduction credits or marketable trading credits without discount or reduction, except as specified, to sources that are exempt from specified district rules and regulations. This bill does not have any impact on DPR programs. (**Amend** Section 40714.5 of the Health & Safety Code)

AB 3048/Olberg (Chapter 96-0777)

***Air Pollution***

This bill changes the base year established by the California Clean Air Act for calculating subsequent emissions reductions for meeting State air quality standards from 1987 to 1990. The bill amends and deletes various provisions relating to mobile and indirect sources of air pollutants, transportation control measures, and other air district issues. This bill has no impact on DPR, however, if DPR decides to develop a plan to meet State standards, using 1990 as the base year would allow parallel tracking of efforts to meet State and federal standards. (**Amend** Sections 40716, 40717.5, 40914, 40916, 40918, 40919, 40920, 40920.5, 40924, 40925, 40925.5, and 44241 of; **Repeal** Sections 40457, 40717.1, 40925, & 44246 of the Health & Safety Code)



## SENATE BILLS - Statutes of 1996

SB 19/Johannessen (Chapter 96-0045)

### ***State-Mandated Local Programs***

This bill stipulates that a state-mandated local program, with specified exceptions, enacted after January 1, 1975, shall not apply to any city with a population of 25,000 or less, or any county with a population of 50,000 or less, unless the program is fully funded by the State. The bill allows for specified exemptions from the inoperative clause. (**Amend** Sections 17558, 17560, 17561, 17561.5, & 17562 of the Govt. Code)

SB 530/Kelley (Chapter 96-0071)

### ***Structural Pest Control***

This bill extends the Structural Fumigation Enforcement Program (Chapter 393, Statutes of 1993) to Orange County on January 1, 1997, and to San Diego County, effective January 1, 1998. The three-county (Los Angeles, Orange, and San Diego) Structural Fumigation Enforcement Program repeal date would be extended to January 1, 1999. (**Amend** Sections 8505.5, 8698, 88698.1, 8698.5, & 8698.6 of the Business & Professions Code)

SB 649/Costa (Chapter 96-1122)

### ***Water Pollution***

This bill allows a person to deposit in, permit to pass into, or place where it can pass into the waters of the State specified substances, including petroleum-based pesticides. The discharge or release must be authorized pursuant to the terms of a permit issued by the SWRCB or a RWQCB. (**Amend** Sections 5650 & 5650.1 of the Fish & Game Code)

SB 802/Monteith (Chapter 96-0435)

### ***Economic Poisons***

SB 802 has six major provisions: 1) Prohibits persons from using pesticide registration data, acquired through a public information request, to support an application for pesticide product registration. The registration data could be used upon permission from the person who originally submitted the data; 2) Directs DPR to evaluate the FIFRA reauthorization changes resulting from the Food Quality Protection Act of 1996, for pesticides registered for use on minor crops. The bill also directs DPR to prepare a report recommending any conforming changes to California's pesticide registration process; 3) The term "engage for hire" is clarified to include the activities of advertising, soliciting, or operating as a pest control business; 4) The bill creates unlawful act for Pest Control Dealer Designated Agents to fail to actively supervise employees in the use and sale of pesticides and exercise responsibility in carrying on the business of a Pest Control Dealer; 5) Consolidates all CAC disciplinary actions related to county registrations and permits into FAC, Division 6; and 6) Authorizes the issuance of a multi-year restricted materials permits, valid for up to three years, under specific criteria. (**Amend** Sections 11512.5, 11701, 12258, 14007, & 14009 of, **Add** Section 12811.5 to, **Repeal** Sections 11736, 11925, 12036 of the FAC; **Amend** Section 6254.2 of the Govt. Code)

SB 1268/Costa (Chapter 96-0994)

### ***Resource Conservation Districts***

This bill makes legislative findings and declarations that Resource Conservation Districts (RCD) are legal subdivisions of the State, and that those districts shall be considered agencies of the State only when contracting with State agencies. This bill authorizes the California Department of Conservation to provide grants to RCDs, and authorize RCDs to prepare a specified annual and long-range work plan and secure sources of local support funding, for the purpose of assisting the districts in carrying out any work that they are authorized to undertake. This bill has no direct impact on DPR, however, it could save DPR and CACs time

## SENATE BILLS - Statutes of 1996 (cont'd)

and money that, without adequate funding of RCDs, would otherwise be needed to implement practices that reduce pesticidal sources of nonpoint source pollution, especially if implemented on a watershed basis. (**Amend** Section 9354 of; **Add** Sections 9003 & 9084 to; **Repeal** Section 9111 of the Public Resources Code)

SB 1416/Thompson (Chapter 96-0995)

***Aquatic Weeds: boating***

This bill requires the Department of Boating and Waterways to conduct a pilot project until December 31, 1999, of aquatic weed control on Clear Lake upon appropriation of funds for that purpose by the Legislature, and that any chemical treatment of aquatic weeds other than hydrilla shall be coordinated with the DFG.

(**Add** Section 64.5 to the Harbors & Navigation Code)

SB 1507/Petris (Chapter 96-0928)

***Legislature: public records: retention***

This bill provides for the preservation of legislative records. The records would remain either in the custody of the legislative committee or with State Archives. The bill provides that all legislative records lodged with the State Archives shall be opened to public inspection. The bill also requires that OAL return rulemaking files to the adopting State agency for safekeeping unless the State agency transmits the file to the State Archives. This bill has no direct impact on DPR except the clarification of jurisdictional issues from the bill.

(**Add** Sections 9080 & 12223.5; **Amend** Sections 975, 11347.3 & 147555 to the Govt. Code)

SB 1546/Lewis (Chapter 96-0398)

***Structural Pest Control***

This bill makes revisions to existing law relating to the subcontracting of structural pest control services, inspection report notices, and certifications of fumigation. It also makes technical, nonsubstantive revisions to laws governing structural pest control operators. This bill has no impact on DPR. (**Amend** Sections 8514, 18514.5, 8516 & 8519.5 of the Business & Professions Code)

SB 1910/Johannessen (Chapter 96-0501)

***Administrative Regulations***

This bill requires OAL to make the California Code of Regulations available to the public on the Internet free of charge on or after July 1, 1998. (**Amend** Sections 11340.1 and 11344 of the Govt. Code)

SB 2062/Rogers (Chapter 96-0635)

***Agricultural Commissioners: enforcement programs: study***

This bill requires the Secretary of CDFA to encourage representatives of the agricultural industry, consumer groups, county governments, CACs, and DPR to conduct a study, and submit it to the Legislature, on or before January 1, 1998, to evaluate the statutory and regulatory responsibilities and appropriate funding sources for mandated programs conducted by the CACs. This bill provides an opportunity to review the CAC programs and their sources and level of funding. (An **Act** relating to county agricultural commissioners)

## SENATE BILLS - Statutes of 1996 (cont'd)

SB 2170/Mountjoy (Chapter 96-0618)

***Air Pollution: market-based incentive programs***

This bill requires air district market-based incentive programs to promote privatization of compliance and the availability of data in computer format; requires districts to endeavor to allow emission sources to use electronic or computer data storage to comply with emissions monitoring and record keeping requirements; and allows the South Coast Air Quality Management District hearing board to grant variances from certain permit requirements, which are currently prohibited by law. (**Amend** Sections 39616, 40500, 42350, 42700 & 42705 of; **Add** Sections 40407.5 & 40440.3 to the Health & Safety Code)

SB 1XXX/Mello (Chapter 96-0001)

***Methyl Bromide***

Senate Bill 1XXX states the intent of the Legislature, that DPR in cooperation with CDFA, review by July 1 1996, current use practices for methyl bromide in order to prevent unreasonable risk of harm to employees and the general public. The bill grants an extension of time until December 31, 1997, to complete and submit the mandatory health effects studies required under the Birth Defect Prevention Act for the active ingredients methyl bromide and pentachlorophenol. The bill also states the intent of the Legislature for DPR to conduct a thorough evaluation, no later than June 30, 1996, which would culminate in DPR proposing the dedication of a portion of DPR funds to research, development, and outreach of reduced risk alternative pest management strategies for agriculture. (**Repeal & Add** Section 13127.32 of the FAC)

# 1995-96 ASSEMBLY BILLS

## Failed Passage

AB 4/Bates

***Free Public Access to Electronic Data***

This bill would require DOF's Office of Information Technology to develop and implement a plan to provide free-to-the-public access to computerized information that is subject to public disclosure, in computer-readable form. The plan was to be developed by January 1, 1997; all agencies were required to be in full compliance by January 1, 2000.

AB 13X/Frusetta and Harvey

***Birth Defect Prevention Act: methyl bromide and PCP***

This bill would amend the Birth Defect Prevention Act to allow additional time for submission of the mandatory health effects studies for the pesticide active ingredients methyl bromide and PCP.

AB 142/Bowen

***Public Records: electronic format***

Information which is identified as public record and available in an electronic format shall be made available to any person in that format. The actual cost of providing this information may be charged.

AB 152/Baca

***Economic Development and Job Creation Act***

This bill would establish a position within the Trade and Commerce Agency for attracting and retaining businesses within California.

AB 165/Richter

***General Plans: state agency compliance***

This bill would require any significantly inconsistent action of a State agency, as defined, with the general plan policies of a county with a population of less than 200,000, be taken only after it is determined that there are no feasible alternatives or mitigation measures that substantially lessen the significant inconsistencies.

AB 177/Mountjoy

***Air Pollution***

This bill would prohibit any business using the latest technological equipment available to maintain air quality from being subject to any State or local limitation on production on account of air emission regulations, if the business demonstrates that it would not exceed its control technology derived air emission limits. It would prohibit any facility that install and use air pollution control technology equivalent to Best Available Retrofit Control Technology from being subject to any ARB or local agency production limit, except as specified.

AB 179/Battin

***Emergency Exemption from Registration Process***

This bill would authorize DPR to temporarily exempt pesticide products that have federal registration and established tolerances from State registration, when needed to control an emergency pest problem.

AB 211/Richter

***Public Officers and Employees***

This bill would repeal the existing affirmative action requirements for hiring and promoting minorities and women, and provide for punishment of employees found guilty of not enforcing those requirements by a fine not to exceed \$1000, or imprisonment in the county jail for not more than one year, or in the state prison or by both the fine and imprisonment.

AB 250/Baldwin

***State-Federal Regulation Consistency***

This bill would require the OAL and Secretary of Trade and Commerce to make recommendations to the Legislature for repealing all State regulations which are more stringent than federal on the same subject.

AB 450/Hauser

***Exempt Creosote as a Pollutant in Lakes and Streams***

Currently, it is illegal to allow certain substances to enter California lakes or streams. This bill would allow the use of creosote treated wood products in the California waters.

AB 510/Battin

***Seed Labeling***

This bill relate to the authority of CDFA to regulate seeds sold in California; provide definitions for the terms "certification" and "research"; and require CDFA to establish, by regulation, a list of seed-certifying agencies.

AB 573/Goldsmith

***General Fund: fines and penalties***

This bill would prohibit the expenditure of revenues derived from the imposition of fines and penalties by any State agency unless authorized specifically by the Legislature through an appropriation in the Budget Act or other legislation.

AB 777/Speier

***State tort liability: sexual harassment***

This bill would enact provisions which prevent the Department from defending itself or its officers in civil actions arising from sexual harassment complaints, and prohibit the promotion or increased compensation for any employee or officer who has been disciplined by an agency or having a judgement against him/her for such a claim.

AB 863/Aguiar

***Environmental Protection: fees***

This bill would define the term "fee" for purposes of the Environmental Protection Act of 1993, which established procedures to assist business and public agencies in compliance with environmental quality laws.

AB 873/Bowen

***Registration of Pesticides Using Administrative Procedures Act***

This bill would require DPR to follow the APA when adopting any rules or regulations relating to pest control; register, suspend registration of, or cancel registration of a pesticide by adopting a regulation; and that all regulations adopted by the CACs be adopted pursuant to the APA.

AB 874/Campbell

***Endangered Species***

This bill would amend provisions relating to the notification of the public regarding endangered species issues. The bill require that the Fish and Game Commission provide the public with additional information when a notice regarding the receipt of a petition to add or remove a species from endangered species list is published.

AB 1069/Hauser

***Administrative Hearings***

This bill would amend the Government Code's Administrative hearings to provide that decisions by the ALJ hearing the case would no longer be "proposed" decisions, but rather final decisions for the agency to either adopt, or appeal, through the judicial process.

AB 1135/Morrissey

***Administrative regulations: state air resources board***

This bill would require the ARB, when proposing regulatory changes, to consider the cumulative economic impact of all regulations adopted by the ARB that became effective on and after January 1, 1990, on private sector entities and state and local government agencies, and to include the information in the notice of proposed action. If the ARB determined that the impact was significant and adverse, the bill would require the ARB to determine whether an alternative, less harmful, regulation should be adopted, and would require the ARB to permit public comment on that alternative regulation.

AB 1142/Baldwin

***Regulations: compliance review***

This bill would require OAL to review all current regulations to determine if the need for the regulation continues and if the regulation is in compliance with certain specified standards.

AB 1160/Morrissey

***State-Federal Regulation Consistency***

This bill would require OAL and the Secretary of Trade and Commerce to make recommendations to the Legislature for the suspension or repeal of all State regulations which are more stringent than federal regulations on the same subject.

AB 1179/Bordonaro

***Regulation: trade and commerce oversight***

This bill would require, for regulations that would apply to businesses, that State agencies make findings that the regulation is necessary for the health, safety, or welfare of the people; that the benefits of the regulation justify the costs; and that the regulation is the most cost effective regulatory option available. The regulation would not apply to businesses if these findings are not made. The bill would require State agencies to summarize and respond to any comments received from the Secretary of Trade and Commerce.

AB 1180/Morrissey

***Administrative Adjudication***

This bill would amend the APA and purports to provide an alternative hearing procedure for small businesses charged with a civil penalty for violating an administrative regulation.

AB 1336/Sweeny

***Environmental Indicators***

This bill would propose to create a new commission for developing social, environmental, community and economic health indicators, and for developing benchmarks and goals for each indicator. The existing California Economic Strategy Panel would serve as the commission. Progress in meeting the benchmarks and goals will be considered in preparing and adopting the annual Budget Act.

AB 1428/Woods

***Endangered species Act: personal liability***

This bill would make a public employee personally liable for economic damage to a private business caused by any official act taken pursuant to the Endangered Species Act, based upon scientific information that cannot be scientifically verified. It would make any person providing the public employee with information personally liable for any damages.

AB 1442/Baca

***Taxes: credits: environmental mitigation***

This bill would provide a tax credit under both the Personal Income Tax Law and the Bank and Corporation Tax Law against the amount paid for capital expenditures to comply with any environmental mitigation requirement as defined.

AB 1537/Aguiar

***State-Mandated Local Programs***

This bill would stipulate that any State-mandated local program not fully funded by the State would not apply to any local agency or school district. A local agency or school district could implement said programs with local resources if full State funding is not provided.

AB 1561/Harvey

***Pesticide Registration***

This bill would substitute the word "pesticide" for the term "economic poison" throughout the FAC and require DPR's evaluation of application for registration of new pesticide products to be completed in a timely manner.

AB 1580/Bowen

***Governmental entities: opt-in clause***

This bill would require that each form a State or local agency requires a person to complete contain an opt-in clause that the person completing the form would have the option of signing, permitting the applicable State or local agency to sell or furnish personally identifiable information given in the form about the person signing the opt-in clause. It would require that the new forms created on or after January 1, 1996, to contain the opt-in clause.

AB 1659/Woods, et al

***Administrative Regulations***

This bill would require DPR to justify, with scientific risk and economic assessment procedures, the benefit of adopting major State regulations before adopting such regulations. The justification does not apply to federally mandated law or regulation.

AB 1857/Brewer

***Regulatory Reforms***

This bill would require departments, boards, and commissions within Cal/EPA, Resources Agency, and the Office of the State Fire Marshall to evaluate alternatives when adopting a major State regulation that is different from a federal regulation on the same subject.

AB 2031/Frusetta

***Economic Poison: adoption of regulation***

AB 2031 would remove the April 1, 1989, deadline by which the director of DPR shall adopt regulations governing the use of methyl bromide and chlorpicrin as field fumigants.

AB 2130/McPherson

***California State Mussel Watch Program***

This bill would require the SWRCB, in conjunction with DFG, to continue to implement the California State Mussel Watch Program. The bill would have appropriated \$300,000 from the General Fund to DFG to fund specified program staff and costs.

AB 2264/Poohigian

***Mill Assessment and Pesticide Regulatory Program Reforms***

This bill would establish a new mill assessment rate of 14.75 plus one mill from July 1, 1997 through June 30, 2001. After July 1, 2001, the bill would return the mill assessment rate to nine mills per dollar of sales. The bill will enact a set of reforms to the pesticide regulatory program, including: (a) adopting time frames for completing pesticide registrations; (b) establishing criteria under which DPR may accept U.S. EPA evaluations of scientific studies; (c) formalizing the reevaluation process; and reforms to the TAC Program.

AB 2379/Margett

***State Mandates***

AB 2379 would require the State to reimburse local governments, other than schools, for any acts or orders enacted after 1996 which reduce local revenue by creating exemptions, prohibiting the imposition of fees, taxes or assessments or reducing or redistributing State subventions. It also limits the disclaiming of reimbursement for voter-approved mandates to those initiated by the voters.

AB 2445/McPherson

***California State Mussel Watch Program: funding***

AB 2445 provide that fees for coastal development permits collected by the California Coastal Commission be deposited in the Coastal Access Account and continuously appropriate \$300,000 each fiscal year for use by the SWRCB to administer the CSMW program, in cooperation with DFG, provided that AB 2130 is enacted to establish the program.

AB 2684/Kaloogian

***Review of State Agencies***

The bill would abolish State regulatory agencies as of certain specified dates unless the Legislature extended the time. The bill would allow the Governor to transfer essential public health, safety, or welfare functions from an agency subject to termination to a successor agency. The bill would continue in effect all regulations effective as of January 1, 1997, even if the State agency that adopted them had been abolished. The bill would have also required the Bureau of State Audits to conduct a performance audit of each State regulatory agency scheduled for termination.



AB 2793/Baldwin

***Review of Administrative Regulations***

The bill would require that State agencies review regulations under their jurisdiction which affect the business sector, commencing January 1, 1998, and every four years thereafter for those regulations that have not been amended within the past four years. State agencies would be required to identify regulations suitable for amendment or repeal and require the review to include the input and consultation of business, environmental communities, and other affected parties.

AB 2858/Machado

***Environmental Audit Reports***

The bill would establish the Environmental Audit Privilege and Voluntary Noncompliance Disclosure Act of 1996, making information in an environmental audit privileged, and making disclosure of information about violation of an environmental law to an environmental agency voluntary, if specified conditions are met, resulting in a limited immunity from civil and criminal penalties.

AB 2896/Goldsmith

***Administrative Regulations***

The bill would require that certain specified State agencies, including DPR, avoid unnecessary overlap or inconsistency with federal regulations addressing the same issues. It would amend certain criteria which must be met before certain State agencies could adopt regulations different from federal regulations.

AB 2989/Bowen & Figueroa

***Records: paper reduction act of 1996***

This bill would require that any report required by law to be submitted to the Governor or Legislature by a State or local agency shall instead be submitted on paper and electronically to the State Librarian, who shall maintain and make these reports available electronically upon request. It would require that certain information subject to disclosure under the Public Records Act be made available in electronic format, and a copy of public meeting notices be submitted on paper to the State Librarian who shall post the notice electronically.

AB 3146/Brewer

***Administrative Regulations***

The bill would require all State agencies, when proposing a regulatory change, describe their efforts to avoid unnecessary duplication or conflicts with federal regulations addressing the same issues.

AB 3158/Olberg

***Environmental Regulation: cost effectiveness evaluation***

The bill would require the Director of DOF, the Secretary for Cal/EPA, and Secretary of Trade and Commerce to meet and evaluate the success and progress of each board, department, and office within Cal/EPA in conducting cost-effectiveness evaluations on major regulations.

AB 3159/Olberg

***Civil Penalties***

This bill would abolish the civil penalty system as we know it. It would prohibit environmental agencies from imposing civil penalties through the current administrative penalty system and require all such actions to be prosecuted in a court action while requiring a finding that the violation was either "intentional" or a result of "culpable negligence" as defined.

AB 3286/Miller

***Posting notice prior to structural fumigation***

AB 3286 would amend the Business and Professions Code section 8538 to require posting a written notice in a conspicuous place at the fumigation site prior to application of a fumigant, unless the fumigation follows inspection by less than 48 hours. The proposed amendment removes the option of personal delivery or sending the notice by first-class mail to the owner, or owner's agent and tenant of a structure to be fumigated.

AB 3292/Sher

***Small Businesses***

The bill would create the Small Business Environmental Regulatory Assistance Center in the Trade and Commerce Agency for the purpose of maintaining information on all State regulatory agencies and on how small businesses may participate in the rulemaking process.

AB 3303/House

***Search Warrants***

This bill would provide that all public employees are required to obtain a search warrant before entering any home or business for the purpose of conducting a search or inspection, unless consent is first obtained.

AB 3476/Committee on Environmental Safety & Toxic Materials

***Cal/EPA: reduced facility inspection frequency programs***

AB 3476 would require all boards and departments within Cal/EPA to adopt regulations for implementing a reduced frequency inspection program of facilities which have a record of good compliance, and require the inspecting entity to provide written specific basis for the inspection within 30 days of the inspection and make them available to the public.

AB 3477/Committee on Environmental Safety & Toxic Materials

***Unified Code of Environmental Statutes***

The bill states the intent of the Legislature to establish one environmental regulation code with a single agency administration.

ACA 7/Pringle

***State Mandated Program***

ACA 7, among other provisions, (1) provides that whenever the Legislature or any State agency mandates any new program, higher level of service, or increased cost on any local government, the State would be required to provide a subvention of funds to pay the local government for the cost; (2) provides that no statute, (other than certain specified statutes, executive order or regulation), that mandates a new program, higher level of service, or increased cost on local government would become operative sooner than 90 days after the CSM determines either that the State is not required to provide a subvention of funds, or that sufficient funds have been appropriated to pay local government for the cost; (3) provides that the State would be required to reimburse the local government for the amount of the revenue loss arising from the mandate whenever the Legislature or any State agency mandates: (1) a limitation on, or exemption from a charge, fee, assessment, or tax levied by local government, or (b) a decrease or redistribution of State subventions or other State funds to local government that is not offset by an equivalent reduction

ACA 21/Brulte

***Legislation: business costs***

This bill would have amended the State Constitution to require that bills which would result in additional costs to businesses and individuals would require a two-thirds vote of the Legislature.

# 1995-96 SENATE BILLS

## Failed Passage

SB 6/Hayden

***Water Quality***

This bill would prescribe procedures by which any person or entity may bring an action for civil penalties, declaratory relief, or equitable relief for violations of regional board cleanup or abatement orders involving State ocean and coastal waters. An action may only be brought in the event that the regional board and/or the SWRCB have failed or do not plan to seek such penalties or relief. It authorizes the court to award costs for bringing such actions, requires regional board executive officers to notify the SWRCB of all notices of violations submitted to the regional board, and to summarize those notices and any actions taken by the person or entity in annual reports to the SWRCB.

SB 176/Alquist

***Information on Household Hazardous Substances***

This bill would require that the CIWMB evaluate the potential of proposed alternatives to household hazardous substances to pose hazards to human health and safety and would also require that any information distributed by CIWMB on hazardous substances or alternatives to be "competent and reliable."

SB 286/Polanco

***State Procurement: information technology***

This bill would involve the formation of an Interagency Advisory Council for Small Business in Public Contracting and the development of a Performance Based Procurement approach for the acquisition of information technology goods and services.

SB 323/Kopp

***California Newspaper Association***

This bill would make minor changes to Public Records Act; require State and local agencies to identify the specific provision of law supporting a decision to withhold information or qualifying a record as exempt from disclosure; and limit judicial relief to persons who were denied a written request for a public record.

SB 329/Campbell

***Regulations: legislative notice***

This bill would have prohibited, commencing January 1, 1996, any State agency from adopting any regulation in an area over which there is federal jurisdiction, unless the State agency notifies the Legislature 30 days prior to adopting the regulation.

SB 339/Campbell

***Five-Year Sunset on Regulations***

This bill would require that all regulations adopted by State agencies expire after five years, unless it is readopted before the date.

SB 452/Johannessen

***Regulations: public availability and judicial review***

This bill would amend the APA to require that all regulations filed with the Secretary of State be made available to the public for 30 days before they can be enforced. If the agency fails to make the text available in 30 days, a court

may declare the regulation to be invalid and result in State agencies being liable for court costs and attorney fees. The bill would require the Legislative Counsel to make the text of all new regulations available to the public in an electronic format.

SB 625/Johannessen

***Regulations: economic impacts***

This bill would amend the APA to repeal a provision relating to the assessment of possible adverse effects of proposed regulations on California businesses enterprises.

SB 739/Polanco

***Regulations: federal consistency***

This bill would require each board, department or office within Cal/EPA to demonstrate that a State regulation which is more stringent than a federal regulation on the same subject is necessary, cost effective, and is justified by the benefits to public health or the environment.

SB 812/Monteith

***Air pollution: particulate matter***

This bill would declare the intent of the Legislature to deregulate suspended particulate matter relating to agriculture and development.

SB 834/Hayden

***Definition of Lobbyist***

This bill would remove an exemption making a State employee acting within the scope of his employment subject to the laws governing lobbyists and would also expand the definition of lobbyist.

SB 883/Hayden

***Endangered Species: takes***

This bill would redefine the definition of the word "take" in the CESA to include notification of habitat that significantly disrupts essential behavioral patterns of endangered species.

SB 929/Petris

***Pesticide Poisoning Prevention Act of 1995***

This bill would prohibit the registration of new uses of a pesticide product if the product is found to be acutely toxic or if the product is listed under the Safe Drinking Water and Toxic Enforcement Act of 1986. The bill would require that the Secretary for Cal/EPA develop and implement a plan to eliminate currently registered pesticide products which are acutely toxic or listed under the Safe Drinking Water and Toxic Enforcement Act of 1986.

SB 974/Alquist

***State Government: performance audits***

This bill, an urgency measure, would mandate each State agency, county, city and county, and community college district to conduct a performance audit of its activities and operations in order to identify and quantify waste, inefficiencies, and redundancies. These audits would require to be completed within two years of the effective date of the bill and, arguably, would not be able to be performed by internal audit staff for that agency. Failure to complete and submit the audits within the two year deadline would require the State Controller's Office to withhold funds from the agency until an audit report is submitted.

SB 1122/Mountjoy

***Regulations: small businesses***

This bill would restrict the adoption of regulations by regulatory agencies which are intended to mitigate hazardous substance impacts resulting from small businesses; require a review of existing regulations by January 1, 1997, and revise such regulations to comply with the requirements of this bill; and require those agencies affected by the bill to report impacts to the Legislature by January 1, 2001.

SB 1177/Killea

***Endangered Species***

This bill would expand the DFG authority by authorizing them to issue incidental take permits for endangered species and require DFG to consult with CACs and others to encourage best management practices.

SB 1287/Hayden

***Estrogen-Imitating Chemical Compounds***

This bill would have required Cal/EPA and DHS to jointly form a task force to make recommendations on research and regulatory priorities concerning estrogen-imitating compounds and their effects, especially as a factor in breast cancer etiology.

SB 1371/Mello

***Mill Assessment/Birth Defect Prevention Act: methyl bromide and PCP***

This bill would extend the sunset date of the pesticide mill assessment from June 30, 1997, to June 30, 2001. The bill would also set aside a portion of the mill assessment funds for the research, development, and outreach of alternatives to the use of pesticides in agricultural production. In addition, the bill would amend the Birth Defect Prevention Act to allow additional time for the submission of the mandatory health effects studies for the pesticide active ingredients methyl bromide and pentachlorophenol.

SB 1390/Johnston

***State Agencies: written communication***

This bill would require any person submitting a written communication to a State agency to indicate the financial backers of the written communication, within certain limits. It would prohibit a State agency from accepting a written communication submitted by an attorney or authorized representative on behalf of a client in a quasi-judicial proceeding, unless the written communication clearly indicates the client on whose behalf the communication is submitted.

SB 1400/Monteith

***Scientific evidence in administrative hearings***

This bill would no longer amend the APA to include a standard for the admission of scientific evidence which is similar to the one currently used in civil court. The bill does not amend any statute, but, rather, states a direction from the Legislature to the California Law Revision Commission to study existing law and recommend appropriate changes.

SB 1423/O'Connell

***Economic Poison: Mill Assessment***

The bill would delete the sunset date which currently exists on a portion of the mill assessment paid by registrants per dollar of sales of pesticide products and would establish the mill assessment rate to be paid by registrants at 21 mills, indefinitely.

SB 1652/Thompson

***Economic Poisons: Purchase by Public Agencies***

This bill would provide that when purchasing pesticide products, a State or local government entity may require a proposal for training and stewardship services to be included in a bid, solicitation, or Request for Proposal. A State or local government entity purchasing pesticide products may consider training and stewardship services when awarding a bid, solicitation, or Request for Proposal.

SB 1750/Monteith

***Mill Assessment and Pesticide Regulatory Program Reforms***

This bill would establish a new mill assessment rate of 14.56 plus one mill from July 1, 1997, through June 30, 1999, on the sales of pesticides in California. From July 1, 1999, through June 30, 2000, the bill would establish the mill assessment rate at 17 mills plus one mill per dollar of sales. From July 1, 2000 through June 30, 2001 the bill would establish the mill assessment rate at 17.5 mills plus one mill per dollar of sales. After, July 1, 2001, the bill would return the mill assessment rate to nine mills per dollar of sales. In addition, the bill will enact a major set of reforms to the pesticide regulatory program, including: (a) adopting time frames for completing pesticide registrations; (b) establishing criteria under which DPR may accept the U.S. EPA evaluations of scientific studies; (c) formalizing the reevaluation process; and reforms to the Toxic Air Contaminant Program.

SB 1803/Ayala, Calderon and Kopp

***Open meetings***

SB 1803 offers various amendments to the Bagley-Keene Open Meeting Act which governs meetings held by State bodies.

SB 2015/Leonard

***Air Pollution: permitting policies***

This bill would authorize ARB to develop and adopt uniform statewide permitting policies, and require air district rules and regulations to be consistent with those policies within one year after their adoption.